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APR 07 2020	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Case No. 20-mj-00252-EJY DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MALACHI OLAJUWON SMITH,

Defendant.

## ORDER TO SEAL

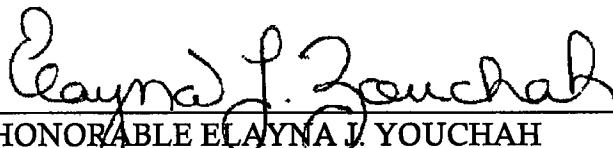
(Under Seal)

Based on the pending *Ex Parte* Application of the Government, and good cause appearing

therefore,

IT IS HEREBY ORDERED that the Complaint, the Government's Application and this Court's Sealing Order, in the above-captioned matter, shall be sealed until further Order of the Court.

DATED this 7th day of April, 2020.

  
 HONORABLE ELAYNA J. YOUCAH  
 UNITED STATES MAGISTRATE JUDGE

I hereby attest and certify on 4/7/2020  
 that the foregoing document is a full true and correct  
 copy of the original on file in my office, and in my legal  
 custody.

 ELAYNA J. YOUCAH  
 U.S. MAGISTRATE JUDGE  
 DISTRICT OF NEVADA

By   
 Santiago  
 Judicial Assistant  
 Law Clerk

1 NICHOLAS A. TRUTANICH  
2 United States Attorney  
3 District of Nevada  
4 Nevada Bar Number 13644  
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6 *Attorneys for the United States of America*

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BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
MALACHI OLAJUWON SMITH,  
Defendant.

Case No. 2:20-mj-00252-EJY

**GOVERNMENT'S *EX PARTE*  
APPLICATION REQUESTING  
SEALING OF THE COMPLAINT**

(Under Seal)

16 The United States of America, by and through NICHOLAS A. TRUTANICH, United  
17 States Attorney, and Jennifer Oxley, Assistant United States Attorney, respectfully moves this  
18 Honorable Court for an Order sealing the Complaint, together with this Application, and the  
19 Court's Sealing Order, in the above-captioned matter, until such time as this Honorable Court,  
20 or another Court of competent jurisdiction, shall order otherwise.

21 The Government submits that it is necessary for said documents to be sealed in light of  
22 the fact that they make reference to an ongoing investigation involving an eyewitness and because  
23 the defendant is out of custody on house arrest. The Government submits that disclosure of the  
24 information may possibly jeopardize the investigation, risk the witness's safety, and permit

1 further flight in order to avoid prosecution. The Government submits that its right to secrecy far  
2 outweighs the public's right to know of the allegations contained in the Complaint.

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4 DATED this 4th day of April, 2020.

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Respectfully submitted,

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NICHOLAS A. TRUTANICH  
United States Attorney

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/s/ Jennifer J. Oxley

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JENNIFER J. OXLEY

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Assistant United States Attorney

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